

MAZZOLA LINDSTROM LLP

Richard E. Lerner

RICHARD@MAZZOLALINDSTROM.COM

O: 646-813-4345

M: 917-584-4864

July 27, 2022

Via ECF

Magistrate Judge William I. Arbuckle
Herman T. Schneebeli Federal Bldg. & U.S. Courthouse
240 West Third Street
Williamsport, PA 17701

Re: Parfinim NV (petitioner) v. Warden Tellez (respondent)
/ Warden Rachel Thompson (respondent)
Docket No.: 4:22-cv-01102-WIA

Dear Magistrate Judge Arbuckle:

I am writing on behalf of petitioner Parfinim NV to memorialize my telephone call with your law clerk Tim Cordova, and to request that this matter be held in abeyance.

This proceeding (which has been transferred from the Southern District of New York) seeks an order, in sum, directing that the Bureau of Prisons produce inmate Inigo Philbrick for deposition, to be taken by the parties in a New York State civil matter, entitled *Parfinim NV and Aiden Fine Arts, Inc. v. Uovo Art, LLC, et al.*, 656534/2019.

Subsequent to the transfer to the Middle District of Pennsylvania, BOP attorney Matthew Lavelle reached out to me to advise that the BOP would be amenable to voluntarily producing Mr. Philbrick for deposition. After coordinating with counsel for Aiden Fine Arts, and further communications with Mr. Lavelle, the deposition for Mr. Philbrick was scheduled for September 15th, to be conducted via video link.

Accordingly, we request that this proceeding be held in abeyance. We expect that upon completion of Mr. Philbrick's deposition on September 15th, the petition will be withdrawn. I will update the court as to the status of the matter on Friday, September 16th, after Mr. Philbrick's deposition.

Mr. Cordova also advised of the court's concern that Mr. Philbrick be informed of his right to counsel prior to the deposition; accordingly, I will also write to him this afternoon so advising him. If the court wishes me to docket that letter to Mr. Philbrick, please advise.

Finally, in my notice of appearance, I indicated that I would be filing for admission to the Middle District of Pennsylvania. As this matter is expected to become moot, I have not yet filed for admission.

Respectfully submitted,

MAZZOLA LINDSTROM LLP



Richard E. Lerner

cc: (via email)

Matthew Lavelle (BOP) mlavelle@bop.gov

Jennifer Knepper (BOP) jknepper@bop.gov

Shawn Dyroff (BOP) SDyroff@bop.gov

Curt Rothermel (BOP) crothermel@bop.gov

Timothy Hugar (BOP) thugar@bop.gov

Terry Bingaman (BOP) tbingaman@bop.gov

Steven Schindler SSchindler@schlaw.com (for Aiden Fine Art)

Katherine Wilson-Milne kwilson-milne@schlaw.com (for Aiden Fine Art)

Jenny Gu jgu@schlaw.com (for Aiden Fine Art)

Wendy Lindstrom wendy@mazzolalindstrom.com (for Parfinim)

Nina Edelman nina@mazzolalindstrom.com (for Parfinim)